

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>7/26/11</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>CONSENT ORDER OF FORFEITURE</u>
- v. -	:	S1 09 Cr. 110 (WHP)
SANTIAGO BARANCHUK-RUEDA,	:	
a/k/a "Santiago Baranchuk,"	:	
a/k/a "Santiago Rueda,"	:	
Defendant.	:	
----- x	:	

WHEREAS, on March 17, 2009, SANTIAGO BARANCHUK-RUEDA, a/k/a "Santiago Baranchuk," a/k/a "Santiago Rueda" (the "Defendant"), was charged in a one-count Superseding Indictment, S1 09 Cr. 110 (WHP) (the "Indictment"), with conspiring to commit money laundering, in violation of Title 18, United States Code, Section 1956;

WHEREAS, the Indictment included a forfeiture allegation seeking, pursuant to Title 18, United States Code, Section 982, all property, real and personal, involved in the money laundering offense and all property traceable to such property, including but not limited to the following:

- a. At least approximately millions of dollars in United States currency, in that such sum in aggregate is property which was involved in the money laundering offense or is traceable to such property;
- b. The real property located at 175 SW 7<sup>th</sup> Street, #1810, Miami, Florida 33130;
- c. The real property located at 175 SW 7<sup>th</sup> Street, #1811, Miami, Florida 33130;

- d. The real property located at 175 SW 7<sup>th</sup> Street, #2008, Miami, Florida 33130;
- e. The real property located at 455 5<sup>th</sup> Avenue, Half Moon Bay, California 94019;
- f. The real property located at 90 Alton Road, #601, Miami, Florida 33139;
- g. The real property located at 20201 E. Country Club Drive, #902, Aventura, Florida 33180;
- h. The real property located at 951 Brickell Avenue, #1906, Miami, Florida 33131;
- i. The real property located at 951 Brickell Avenue, #2006, Miami, Florida 33131;
- j. The real property located at 951 Brickell Avenue, #2304, Miami, Florida 33131; and
- k. The real property located at 880 Biscayne Boulevard, Unit 2507, Miami, Florida 33132;

(the "Specific Properties");

WHEREAS, on or about October 21, 2009, the Defendant pled guilty to Count One of the Indictment pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982, a sum of money equal to \$3,200,000 in United States currency, representing all property which was involved in the money laundering offense or is traceable to such property;

WHEREAS, the Defendant consents to entry of a money judgment in the amount of \$3,200,000 in United States currency,

representing all property which was involved in the money laundering offense or is traceable to such property;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Michael D. Lockard, of counsel, and the Defendant, and his counsel, Peter Quijano, Esq. that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$3,200,000 in United States currency (the "Money Judgment") shall be entered against the Defendant.

2. The Defendant waives any claim with respect to the Specific Properties and agrees that he shall not file a petition asserting any interest therein nor assist anyone else in doing so.

3. The net proceeds received by the Government from the sale of the real property located at 455 5<sup>th</sup> Avenue, Half Moon Bay, California 94019, shall be credited towards the Money Judgment in partial satisfaction thereof.

4. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Order of Forfeiture shall be final as to the Defendant upon entry of this Order, and shall be made part of the sentence of the Defendant, SANTIAGO BARANCHUK-RUEDA, a/k/a "Santiago Baranchuk," a/k/a "Santiago Rueda," and shall be included in the judgment of conviction therewith.

5. Upon execution of this Consent Order of Forfeiture and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service (or its designee) shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

7. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

8. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

9. The Clerk of the Court shall forward three certified copies of this Consent Order of Forfeiture to Assistant United States Attorney Michael D. Lockard, United States


Attorney's Office, One St. Andrew's Plaza, New York, New York  
10007.

10. The signature pages of this Order may be executed  
in one or more counterparts, each of which will be deemed an  
original but all of which together will constitute one and the  
same instrument.

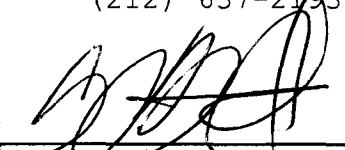
AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for the  
Southern District of New York

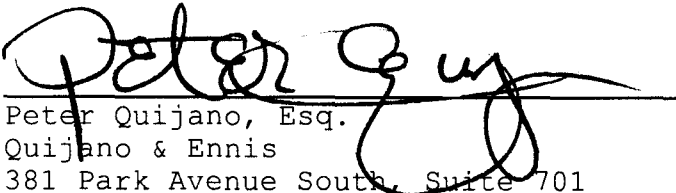
By:

  
Michael D. Lockard  
Benjamin Naftalis  
Assistant United States Attorneys  
One St. Andrew's Plaza  
New York, New York 10007  
(212) 637-2133/2456

July 22/2011  
DATE


  
SANTIAGO BARANCHUK-RUEDA  
DEFENDANT

7/22/2011  
DATE

  
Peter Quijano, Esq.  
Quijano & Ennis  
381 Park Avenue South, Suite 701  
New York, New York 10016  
(212) 686-0666  
Attorney for Defendant

7/22/11  
DATE

SO ORDERED:

  
HONORABLE WILLIAM H. PAULEY III  
UNITED STATES DISTRICT JUDGE

7/25/11  
DATE